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# 1 / 18

DEC 17 2004

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**SCULLY, SCOTT, MURPHY  
& PRESSER****Fax**

<b>To:</b>	<b>Examiner: Mitra Kianersi</b> <b>Group Art Unit: 2145</b> <b>Confirmation No.: 1145</b>	<b>From:</b>	John S. Sensny, Esq.
<b>Fax:</b>	703-872-9306	<b>Pages:</b>	18 (Including fax cover sheet)
<b>Phone:</b>	SEE BELOW	<b>Date:</b>	December 17, 2004
<b>Re:</b>		<b>CC</b>	

**AMENDMENT UNDER 37 C.F.R. §1.111****TRANSMITTED HEREWITH:**

1. Amendment Transmittal Letter (in duplicate);
2. Amendment under 37 C.F.R. §1.111; and
3. Certificate of Transmission by Facsimile dated December 17, 2004.

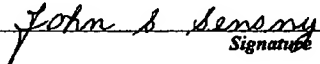
**FOR:**

Applicants: Berry A. Cobb, et al.  
Serial No.: 09/897,005  
Filed: June 29, 2001  
For: "SERVER AVAILABILITY REPORTING USING ASYNCHRONOUS E-MAIL  
MESSAGE"  
Docket: BLD920010011US1 (14551)  
JSS:jy


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P18/REV02

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>BLD920010011US1 (14551)</b>									
Applicant(s): <b>Berry A. Cobb, et al.</b>														
Application No. <b>09/897,005</b>	Filing Date <b>6/29/2001</b>	Examiner <b>Mitra Kianersi</b>	Customer No. <b>23389</b>	Group Art Unit <b>2145</b>	Confirmation No. <b>1145</b>									
Invention: <b>SERVER AVAILABILITY REPORTING USING ASYNCHRONOUS E-MAIL MESSAGE</b>														
<u>COMMISSIONER FOR PATENTS:</u>														
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.														
<b>CLAIMS AS AMENDED</b>														
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE									
TOTAL CLAIMS	17 -	20 =	0 x	\$50.00	\$0.00									
INDEP. CLAIMS	4 -	4 =	0 x	\$200.00	\$0.00									
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00									
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>									
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>09-0457/IBM</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>														
 <b>John S. Sensny</b> Registration No. 28,757  <b>Scully, Scott, Murphy &amp; Presser</b> 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343  cc: JSS:jy			Dated: <b>December 17, 2004</b>  <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</td> </tr> <tr> <td style="text-align: center;">(Date)</td> <td></td> </tr> <tr> <td colspan="2" style="text-align: center;">_____ Signature of Person Mailing Correspondence</td> </tr> <tr> <td colspan="2" style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</td> </tr> </table>				I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____		(Date)		_____ Signature of Person Mailing Correspondence		_____ Typed or Printed Name of Person Mailing Correspondence	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____														
(Date)														
_____ Signature of Person Mailing Correspondence														
_____ Typed or Printed Name of Person Mailing Correspondence														

P11LARGE/REV08

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>		Docket No. <b>BLD920010011US1 (14551)</b>	
Applicant(s): <b>Berry A. Cobb, et al.</b>			
Application No. <b>09/897,005</b>	Filing Date <b>June 29, 2001</b>	Examiner <b>Mitra Kianersi</b>	Group Art Unit <b>2145</b>
Invention: <b>SERVER AVAILABILITY REPORTING USING ASYNCHRONOUS E-MAIL MESSAGE</b>			
<p>I hereby certify that this <u>AMENDMENT UNDER 37 C.F.R. §1.111</u>  <i>(Identify type of correspondence)</i></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u> )</p> <p>on <u>December 17, 2004</u>  <i>(Date)</i></p> <div style="text-align: right; margin-top: 100px;"> <u>John S. Sensny</u>  <i>(Typed or Printed Name of Person Signing Certificate)</i>    <u></u>  <i>(Signature)</i> </div>			
<b>Note: Each paper must have its own certificate of mailing.</b>			

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				<b>Docket No.</b> <b>BLD920010011US1 (14551)</b>	
<b>Applicant(s): Berry A. Cobb, et al.</b>					
<b>Application No.</b> 09/897,005	<b>Filing Date</b> 6/29/2001	<b>Examiner</b> Mitra Kianersi	<b>Customer No.</b> 23389	<b>Group Art Unit</b> 2145	<b>Confirmation No.</b> 1145
<b>Invention: SERVER AVAILABILITY REPORTING USING ASYNCHRONOUS E-MAIL MESSAGE</b>					
<b><u>COMMISSIONER FOR PATENTS:</u></b>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	<b>CLAIMS REMAINING AFTER AMENDMENT</b>	<b>HIGHEST # PREV. PAID FOR</b>	<b>NUMBER EXTRA CLAIMS PRESENT</b>	<b>RATE</b>	<b>ADDITIONAL FEE</b>
<b>TOTAL CLAIMS</b>	17 -	20 =	0 x	\$50.00	\$0.00
<b>INDEP. CLAIMS</b>	4 -	4 =	0 x	\$200.00	\$0.00
<b>Multiple Dependent Claims (check if applicable)</b> <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0457/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
<div style="text-align:center"> _____ <b>John S. Sensny</b> <b>Registration No. 28,757</b></div> <div><b>Scully, Scott, Murphy &amp; Presser</b> <b>400 Garden City Plaza - Suite 300</b> <b>Garden City, New York 11530</b> <b>(516) 742-4343</b></div>			<b>Dated: December 17, 2004</b>		
<b>cc: JSS:jy</b>			<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(c)] on _____</p><p style="text-align:center">(Date)</p><p style="text-align:center">_____ Signature of Person Mailing Correspondence</p><p style="text-align:center">_____ Typed or Printed Name of Person Mailing Correspondence</p></div>		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicants:** Berry A. Cobb, et al.**Examiner:** Mitra Kianersi**Serial No.:** 09/897,005**Group Art Unit:** 2145**Filed:** June 29, 2001**Docket:** BLD920010011US1(14551)**For:** SERVER AVAILABILITY REPORTING  
USING ASYNCHRONOUS E-MAIL MESSAGE**Dated:** December 17, 2004**Confirmation No.:** 1145Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450AMENDMENT UNDER 37 C.F.R. §1.111

Sir:

In response to the Office Action dated October 13, 2004, please amend the subject patent application as follows:

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: December 17, 2004John S. Sensny  
John S. Sensny